

**REMARKS**

Claims 1 and 2 are pending in this application. In the October 15, 2004 Office Action, the Examiner:

1. Rejected Claim 1 as anticipated under 35 U.S.C. § 102(e) by Utsunomiya et al. (U.S. Patent No. 6,154,437) ("Utsunomiya"); and
2. Rejected Claim 2 as obvious under 35 U.S.C. § 103(a) in view of Utsunomiya.

Applicants have amended claim 1 to more distinctly claim what the inventors regard as their invention. Applicants respectfully traverse.

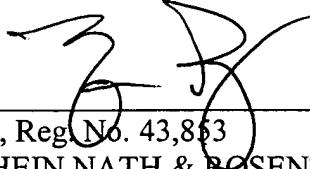
Applicants have amended claim 1 to recite that the "light transmitting layer" is "adhered to the dielectric part with an adhesive agent." In addition, claim 1 recites a data recording layer made of organic material, which in prior art optical discs, would be attached to the light transmitting layer by an adhesive agent. The element added by amendment herein clarifies that the dielectric part is formed between the data recording layer and the light transmitting layer and that the adhesive agent is between the dielectric part and the light transmitting part.

Utsunomia teaches forming a recording layer by sputtering and does not teach or suggest applying the recording layer to the light transmitting layer by an adhesive. Utsunomia also does not fairly disclose a data recording layer made of an organic material nor using an adhesive agent between either the recording layer and the light transmitting material, nor between the dielectric part and the light transmitting material. Utsunomia only teaches using an adhesive between substrates in a double sided recording medium, or between the single sided medium and a protective substrate.

Applicants respectfully submit that claim 1 is in condition for allowance. Accordingly, claim 2, which is dependent on claim 1, is also in condition for allowance. Claims 1 and 2 now being in condition for allowance, favorable reconsideration is respectfully requested.

Respectfully submitted,

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